

AMENDED IN SENATE MAY 30, 2006

AMENDED IN SENATE MARCH 27, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1469**

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**Introduced by Assembly Member Negrete McLeod**

February 22, 2005

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An act to add Article 1.5 (commencing with Section 18606.1) to Chapter 5 of Part 2.1 of Division 13 of the Health and Safety Code, relating to mobilehome parks.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1469, as amended, Negrete McLeod. Mobilehome parks: managers: training.

Existing law governs the administration and management of mobilehome parks, as specified. The Mobilehome Parks Act makes it a misdemeanor to willfully violate any of its provisions.

This bill would add provisions to the act to require a park manager who manages a mobilehome park to complete at least 3 hours of educational programs every year and would require a park manager who is newly hired on or after January 1, 2008, and lacks the requisite educational requirement to complete 5 hours of educational programs within 12 months following employment. The bill would require each provider *to be approved by the Department of Housing and Community Development, as provided. The bill would require each provider* to furnish to each person who completes the program a certificate of completion and would require the park manager to post proof of completion and compliance with the educational program

requirements in the mobilehome park clubhouse or in another conspicuous place within the mobilehome park. The bill would authorize the department to assess a civil penalty, not to exceed \$500, against an owner if the department finds that the owner or operator has not made a good faith effort to comply with these requirements. Because a willful violation of these provisions would also be a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 1.5 (commencing with Section 18606.1)  
2 is added to Chapter 5 of Part 2.1 of Division 13 of the Health and  
3 Safety Code, to read:

4  
5 Article 1.5. Continuing Education of Park Managers  
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7 18606.1. A park manager who manages a mobilehome park  
8 shall complete at least three hours of educational programs every  
9 year. A park manager who is newly hired on or after January 1,  
10 2008, and lacks the requisite educational requirement shall  
11 complete five hours of educational programs within 12 months  
12 following employment as a park manager. If a mobilehome park  
13 does not employ a park manager, the park owner or operator  
14 shall complete the requisite educational requirement. A park  
15 manager who is also a common interest development manager, as  
16 defined in Section 11501 of the Business and Professions Code,  
17 shall be deemed to meet the requirements of this article if he or  
18 she satisfies the training requirements set forth in Section 11502  
19 of the Business and Professions Code.

20 18606.2. "Park manager" means a person who is primarily  
21 responsible for the normal ongoing onsite management of the

1 mobilehome park. This person may, but is not required to, be the  
2 individual referenced in Section 18603.

3 18606.3. (a) At least one hour of instruction shall include  
4 instruction in new laws or existing statutes affecting this part, the  
5 Mobilehome Residency Law (Chapter 2.5 (commencing with  
6 Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code),  
7 or Title 25 of the Code of California Regulations.

8 (b) Other areas of instruction may include, but are not limited  
9 to, information relating to all of the following:

10 (1) Leases and rental agreements.  
11 (2) Ethics.  
12 (3) Unlawful detainers and eviction proceedings.  
13 (4) The resolution of complaints and disputes concerning  
14 landlords and tenants.

15 (5) The adoption and enforcement of the rules and regulations  
16 of a manufactured housing community.

17 (6) General issues relating to property management.

18 (c) Classes should be administered with an emphasis on  
19 teaching participants skills to resolve complaints and disputes  
20 with tenants.

21 (d) An educational program required for the issuance or  
22 renewal of a real estate license pursuant to Part 1 (commencing  
23 with Section 10000) of Division 4 of the Business and  
24 Professions Code satisfies the requirements of this article.

25 18606.4. "Educational program" means a class, workshop,  
26 electronic media, or educational seminar that primarily instructs  
27 participants on issues dealing with the operation of a mobilehome  
28 park and that is sponsored by a professional or nonprofit  
29 organization, including those whose sole or primary purpose is  
30 the advocacy and promotion of manufactured housing and the  
31 education of persons who work in the manufactured housing  
32 industry.

33 18606.5. The Department of Housing and Community  
34 Development, a trade association, or instructor is not liable for  
35 the conduct of a landlord, manager, owner, or other person who  
36 attends a continuing education program under this article. This  
37 article does not create a cause of action against the department, a  
38 trade association, or instructor related to the continuing education  
39 program.

1 18606.55. (a) Providers of educational programs shall be  
2 approved every five years by the Department of Housing and  
3 Community Development by providing proof of the following:

4 (1) The provider is organized as a professional or nonprofit  
5 organization in this state, including those organizations whose  
6 sole or primary purpose is advocating and promoting  
7 manufactured housing and educating persons who work in the  
8 manufactured housing industry.

9 (2) The provider has been in existence at least 10 years.

10 (3) The provider offers at least five examples of educational  
11 courses, including course outlines, program materials, and  
12 sample tests.

13 (b) A fee of five hundred dollars (\$500) shall be imposed to  
14 cover the cost of administering this section.

15 18606.6. Each provider shall furnish to each person who  
16 completes the program required by this article a certificate of  
17 completion. The certificate must include:

18 (a) The name of the participant.

19 (b) The subject matter.

20 (c) The name of the instructor of the course.

21 (d) The number of hours of instruction completed.

22 (e) The date the course was given.

23 18606.7. A park manager shall post proof of completion and  
24 compliance with the educational program requirements  
25 prescribed by this article in the mobilehome park clubhouse or in  
26 another conspicuous place within the mobilehome park. The park  
27 owner may keep copies on file for proof of compliance with this  
28 article.

29 18606.8. The department may assess a civil penalty against  
30 an owner if the department finds that the owner or operator has  
31 not made a good faith effort to comply with this article. The civil  
32 penalty may not exceed five hundred dollars (\$500).

33 SEC. 2. No reimbursement is required by this act pursuant to  
34 Section 6 of Article XIII B of the California Constitution because  
35 the only costs that may be incurred by a local agency or school  
36 district will be incurred because this act creates a new crime or  
37 infraction, eliminates a crime or infraction, or changes the  
38 penalty for a crime or infraction, within the meaning of Section  
39 17556 of the Government Code, or changes the definition of a

- 1 crime within the meaning of Section 6 of Article XIII B of the
- 2 California Constitution.

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